CONFERENCE ON DISARMAMENT

CD/1295
22 February 1995

Original: ENGLISH

LETTER DATED 6 FEBRUARY 1995 FROM THE PERMANENT REPRESENTATIVE OF ROMANIA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE ACT ADOPTED BY THE PARLIAMENT OF ROMANIA ON THE IMPORT AND EXPORT REGIME FOR STRATEGIC GOODS

I have the honour to forward to you the attached Act No. 93 for the Approval of Government Ordinance No. 31 of 29 July 1994 on the import and export regime for strategic goods, adopted by the Parliament of Romania on 10 November 1994.

I would be most grateful if, in accordance with the established practice, you would arrange for this Act to be issued as an official document of the Conference on Disarmament and circulated to all delegations, both of member and of observer States.

(Signed) Romulus NEAGU

Ambassador
Permanent Representative of
Romania

GE.95-60528 (E)

Annex

THE PARLIAMENT OF ROMANIA

THE CHAMBER OF DEPUTIES — THE SENATE

ACT

for the approval of Government Ordinance No. 31 of 29 July 1994 on the import and export regime for strategic goods

The Parliament of Romania passes the following Act:

Single Article. - Government Ordinance No. 31 of 29 July 1994 on the import and export regime for strategic goods, adopted under Article 1 (f) of Act No. 72/1994 on empowering the Government to issue ordinances, published in the Official Gazette of Romania, Part I, No. 218 of 16 August 1994, is hereby approved with Article 16 (4) amended to read as follows:

"(4) The persons referred to in Article 4 are required to retain the documents relating to the strategic goods imported or exported for 15 years".

This law was adopted by the Senate at its meeting on 31 October 1994, in accordance with the provisions of Article 74 (2) of the Constitution of Romania.

THE CHAIRMAN OF THE SENATE

OLIVIU GHERMAN

This Act was adopted by the Chamber of Deputies at its meeting on 1 November 1994, in accordance with the provisions of Article 74 (2) of the Constitution of Romania.

for THE CHAIRMAN OF THE CHAMBER OF DEPUTIES

IOAN GAVRA

Bucharest, 10 November 1994
No. 93

GOVERNMENT OF ROMANIA

Ordinance

on the import and export regime for strategic goods

In exercise of the powers conferred by article 107, paragraphs (1) and (3), of the Constitution of Romania and article 1 (f) of Act No. 72/1994 on commissioning the Government to issue Ordinances

THE GOVERNMENT OF ROMANIA

issues the following

Ordinance

Section I

General provisions

Article 1

1. Imports and exports of strategic goodare controlled under the provisions of the present Ordinance and may be authorized by licence.

2. Under the provisions of the present Ordinance "strategic goods" means:

(a) Industrial goods, high technologies and services that may have dual use (civilian and military);

(b) Weaponry, munitions and other military equipment;

(c) Goods, high technologies and services related to nuclear, chemical and biological weapons and missiles carrying such weapons;

(d) Other goods, technologies and services under special control due to Romania's international commitments.

3. The strategic goods lists are decided upon by means of Government Decisions.

Article 2

The control of imports and exports of strategic goods is carried out in compliance with:

(a) The fundamental directions of Romania's foreign policy;

(b) National economic and security interests;

(c) The objective of non-proliferation of weapons of mass destruction, missiles carrying such weapons and other strategic goods used for military purposes;

(d) The international agreements to which Romania is party;

(e) The international commitments Romania has pledged to abide by;

(f) The principle of cooperation with countries that promote a similar non-proliferation policy in this domain.

Article 3

The National Agency for the Control of Strategic Exports and Prohibition of Chemical Weapons, as the Government's specialized body, hereinafter called the Agency, is responsible for implementing the provisions of the present Ordinance.

Article 4

1. The provisions of the present Ordinance are applicable to all persons undertaking import or export activities relating to strategic goods.

2. "Person" means any natural or legal person residing in Romania, including public authorities.

Article 5

1. Commercial arrangements concluded with foreign parties consisting of acquisitions or sales of strategic goods which do not enter Romanian customs territory are also subject to the present Ordinance.

2. The transit of strategic goods through Romania shall be carried out in accordance with the customs legislation.

Article 6

1. The import and export of strategic goods shall be carried out on the basis of individual import and export licences.

2. General licences may be issued for commercial arrangements with parties in countries that promote principles similar to those referred to in Article 2.

Article 7

1. The importers and exporters of strategic goods shall apply on their own behalf at the Agency for import and export licences.

2. The licence applications shall be processed within 30 days from the day the applicant submitted the documents stipulated in the present Ordinance. In special cases this period may be extended by 15 days.

3. The persons referred to in paragraph 1 of this article are required to advise the Agency of any changes or differences noted in documents, as well as those noted when the strategic goods are handed or taken over, compared with the details stated in the licence. When such changes or differences alter the conditions for which the licence was issued, it shall be cancelled and the statement made about the changes or differences may be considered as a new application for a licence.

Article 8

1. Licences shall be valid for six months from the day they were issued. When an extension is necessary, the documents mentioned in the present Ordinance shall be re-confirmed by the authorities that issued them.

2. The licences can be used only by the applicant and cannot be transferred.

Article 9

The applications for licences shall be made, and the data and information regarding the import or export of strategic goods furnished by the importer or exporter shall be provided, by the natural persons or, depending on the case, by the managers of the legal persons.

Article 10

The importer or exporter has the obligation to declare the strategic goods and tender them for inspection only at the designated customs points.

Section II

The control regime with respect to parties in countries that have regulations similar to those in the present Ordinance

Article 11

1. Import Certificates and Delivery Control Certificates shall be used for imports of strategic goods from parties in countries that have regulations similar to those in the present Ordinance and promote principles corresponding to those in Article 2. The certificates shall be issued by the Agency.

2. By issuing the Import Certificate the Agency agrees to:

(a) Certify that the importer's statements are accurate and notify the legally empowered authorities of any untruth regarding the ultimate use of the strategic goods;

(b) Ensure that the use of strategic goods corresponds to the stated ultimate use;

(c) Enable the authority in the exporting country to make the necessary inspections regarding the import-related arrangements and actions;

(d) Provide to the authority in the exporting country, upon request, a Delivery Control Certificate;

(e) Observe, in accordance with international conventions, any other prerequisites specifically related to transfers of strategic goods.

3. The Delivery Control Certificate confirms that the goods have arrived at their destination in the quantities and with the technical specifications stated in the supporting documents and have been used as stated.

4. The importer shall deliver to his partner, upon request, the Delivery Control Certificate and a copy of the Customs Import Statement.

5. The General Customs Directorate shall provide further evidence that the import has been completed, upon the exporter's request for such confirmation.

Article 12

1. In cases of exports of strategic goods to parties in countries that have regulations similar to those in the present Ordinance and promote principles corresponding to those in Article 2, the exporter shall request the importer to obtain an Import Certificate or its equivalent from the authority in the importing country. This document shall be annexed to the application for an export licence.

2. The exporter shall obtain from his partner, after the goods have been delivered but not later than three months from the day of delivery, the Delivery Control Certificate or an equivalent document confirming that the goods have arrived at their destination. The exporter shall submit this document to the licensing authority within four months of the day of arrival.

Section III

The control regime with respect to parties in countries that do not have regulations similar to those in the present Ordinance

Article 13

No supporting document is required for the issuance of import licences for imports of strategic goods from countries that do not have regulations pursuant to the present Ordinance.

Article 14

1. The issuance of export licences for exports of strategic goods to countries that do not have regulations similar to those in the present Ordinance shall be subject to the submission of a declaration from the ultimate user or consignee and the importer or purchaser, in which they commit themselves to use the goods only in their country for the stated purposes and to enable the authority in the exporting country to inspect the ultimate destination.

2. The declaration shall be in writing and signed by the authorized legal representatives of the ultimate user or consignee and the importer or purchaser, as well as by those responsible for certifying the respective documents.

Section IV

The structure and functions of the control system

Article 15

1. The import and export control regime laid down in this Ordinance is operated by the Agency in collaboration with the ministries referred to in Article 17.

2. The structure and functions of the Agency shall be decided upon by Government Decision.

3. In order to carry out its responsibilities pursuant to paragraph 1 of this article, the Agency is empowered to:

(a) Examine and approve applications for imports and exports of strategic goods;

(b) Verify the accuracy and trustworthiness of statements made by persons importing or exporting strategic goods;

(c) Verify, in books and on site, when necessary, the relevant features of the arrangements, developments and completion of the imports or exports of strategic goods, as well as the observance of their ultimate use;

(d) Cooperate with its counterpart authorities abroad in accordance with the provisions of the present Ordinance;

(e) Evaluate and accept, when appropriate, the Import Certificate or its equivalent issued by the competent authorities in the importer's country, in order to issue the licence;

(f) Issue the Import Certificate and the Delivery Control Certificate for imports of strategic goods;

(g) Periodically inform the Government of Romania with respect to the commercial arrangements subject to the present Ordinance;

(h) Order the cessation of imports or exports of strategic goods, when the provisions of the present Ordinance are violated;

(i) Initiate, together with the competent institutions, the updating of strategic goods lists, in compliance with the international commitments Romania has pledged to abide by.

Article 16

1. In order to carry out its responsibilities the Agency shall set up a Control Unit, comprising its own specialists and, when necessary, other experts. The Agency shall bear the costs incurred for the control activities.

2. The Control Unit of the Agency shall have free access to the necessary documents and information required, irrespective of the holder, in order to carry out its control duties.

3. The persons referred to in Article 4 are required to provide the Agency, when it so requests and within the terms it decides, with any assistance or information necessary and to enable the Control Unit to gain access to their offices or company premises in connection with the examination of the relevant aspects of the arrangements, developments and completion of the import or export transactions, as well as to inform it about the use of the strategic goods subject to control.

4. The persons referred to in Article 4 are required to retain the documents relating to the strategic goods imported or exported for five years.

5. If, in carrying out its duties, the Agency obtains information that may constitute state, company or commercial secrets, it must respect its obligation of secrecy and disclose such information only to the competent authorities.

Article 17

1. An Inter-Ministry Council shall be established, within the strategic goods import and export control system, comprising representatives, at least at director level, of the Ministry of Foreign Affairs, Ministry of Finance, Ministry of National Defence, Ministry of the Interior, Ministry of Industries, Ministry of Trade, Ministry of Waters, Forests and Environmental Protection, Ministry of Justice, Department for European Integration and the Agency.

2. The Inter-Ministry Council shall examine and may approve the applications for licences for imports and exports of strategic goods, in keeping with the provisions of the present Ordinance.

3. The Ministry of Trade shall issue the licences, on the basis of the approval given by the Inter-Ministry Council.

Article 18

In order to have his application processed, an applicant for a licence who undertakes to import or export nuclear-related goods shall submit the import or export authorization issued by the Ministry of Waters, Forests and Environmental Protection - National Commission for Nuclear Activities Control, pursuant to the legislation in force.

Article 19

In order to have his application processed, an applicant for a licence to import or export weaponry, munitions or other military equipment shall submit the import or export authorization issued by the Ministry of National Defence, Department of Military Procurement, on the basis of its special regulations.

Article 20

1. In order to have applications for imports or exports of strategic goods processed, the Ministry of the Interior, Economic Investigation Division. shall provide the Agency with the information obtained directly as well as from other institutions empowered to gather intelligence in order to reveal crimes.

2. The Ministry of the Interior, Economic Investigation Division or the special criminal investigation institutions shall carry out proper research at the Agency's request, and shall inform it of legal measures to be taken.

Article 21

The Ministry of Finance, General Customs Directorate, shall have, in accordance with its responsibilities, the following tasks:

(a) To verify the supporting documents for imports and exports of strategic goods;

(b) To prevent, identify, inspect and penalize any infringements of the present Ordinance;

(c) To halt and inspect vehicles and in-transit goods, inspect trains, offices, commodities and warehouses, request identification evidence, inspect books and correspondence, request documents and information regarding imports or exports of strategic goods from any institution or person;

(d) To inspect the observance of the transportation and warehousing conditions of the strategic goods that are under customs custody;

(e) To secure the cooperation and assistance of any persons involved in the sale, distribution or transportation of the strategic goods in order to implement the provisions of the present Ordinance;

(f) To take possession of strategic goods that are under investigation until its completion.

Section V

Other provisions

Article 22

1. The Agency shall organize, with the assistance of the competent ministries, company awareness programmes on the objectives, principles, rules and procedures of the strategic goods import and export regime.

2. The Agency shall provide, upon request, specialized consultancy services to companies and persons interested in undertaking the import or export of strategic goods.

Article 23

The Agency's international cooperation pursuant to Article 15 shall have the following aims:

(a) To exchange reciprocal information and consult regarding the applications for imports or exports when there may be substantial evidence proving that the strategic goods could be used otherwise than stated;

(b) To update and harmoniously implement the regulations in this domain, including the strategic goods lists;

(c) To notify any infringements of the control regime committed by a foreign national or company so that it may be penalized by the competent authorities abroad.

Section VI

Penalties

Article 24

Any violation of the provisions of the present Ordinance regarding imports or exports of strategic goods as well as regarding the trustworthiness of the statements which by law constitutes a crime shall be punished by imprisonment in compliance with the provisions of the Penal Code.

Article 25

Any issuance of import or export licences for strategic goods without the observance of the provisions of the present Ordinance shall be considered and penalized as an administrative, disciplinary or penal offence, according to the law.

Article 26

Any failure to abide by the ultimate destination of the strategic goods, as stated in the documents, shall be considered an offence and shall carry a fine of between 500,000 and 5 million lei.

Article 27

Any violation of the provisions of Article 10, Article 12 (2) and Article 16 (3) shall be considered an offence, unless it is not considered a crime under the laws in force and shall be subject to a fine of between 100,000 and 500,000 lei.

Article 28

The Control Unit of the Agency or the customs officers shall consider and levy a fine, when applicable, for the offences referred to in Articles 26 and 27.

Article 29

Act No. 32/1968, on ascertaining and penalizing offences, is applicable to the offences referred to in the present Ordinance, excluding those referred to in Articles 25, 26 and 27.

Article 30

If the violation of the provisions of the present Ordinance may seriously prejudice the strategic goods imports and exports regime or the fulfilment of the commitments Romania has pledged to abide by, the competent authorities shall revoke the licence and, when necessary, the authorization to undertake the import and export of strategic goods.

Section VII

Final provisions

Article 31

1. The structure and functions of the Agency shall be modified and amended by Government Decision.

2. The strategic goods lists referred to in Article 1 shall be periodically updated by Government Decision.

3. The forms for Import Licence, Export Licence, Import Certificate and Delivery Control Certificate shall be decided upon by Government Decision.

4. The list of countries to which the provisions of Section II apply shall be decided upon and periodically updated by Government Decision.

Article 32

1. The present Ordinance shall take effect 15 days after its publication in the Official Gazette of Romania.

2. Any contrary provision shall be repealed on the day the Ordinance comes into force.

Bucharest, 29 July 1994, No. 31

CONFERENCE ON DISARMAMENT

CD/1296
7 March 1995

Original: ENGLISH

PROGRESS REPORT TO THE CONFERENCE ON DISARMAMENT ON THE FORTIETH SESSION OF THE AD HOC GROUP OF SCIENTIFIC EXPERTS TO CONSIDER INTERNATIONAL COOPERATIVE MEASURES TO DETECT AND IDENTIFY SEISMIC EVENTS

1. The Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events, initially established in pursuance of the decision taken by the Conference of the Committee on Disarmament on 22 July 1976, held its fortieth formal session from 20 February to 3 March 1995, in the Palais des Nations, Geneva, under the Chairmanship of Dr. Ola Dahlman of Sweden. This was the thirty-second session of the Group, convened under its new mandate by the decision of the Committee on Disarmament at its 48th meeting on 7 August 1979.

2. The Ad Hoc Group is open to all Member States of the Conference on Disarmament. It is also open on a standing basis to all non-Member States which have been invited upon their request by the Conference on Disarmament to participate in its work. Accordingly, scientific experts and representatives of the following Member States of the Conference on Disarmament participated in the session: Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, China, France, Germany, Hungary, India, Italy, Japan, Mongolia, the Netherlands, Pakistan, Poland, the Russian Federation, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

3. Scientific experts and representatives from the following non-Member States of the Conference on Disarmament participated in the session: Austria, the Czech Republic, Denmark, Finland, Israel, the Republic of Korea, New Zealand, Norway, Spain, Switzerland and Turkey.

4. During the session 49 papers containing information on national investigations related to the work of the Group were presented by experts from Argentina, Australia, Austria, Brazil, Bulgaria, Canada, China, the Czech Republic, Denmark, Finland, France, Germany, Hungary, India, Israel, Italy, Japan, Mongolia, the Netherlands, New Zealand, Norway, Romania, the Russian Federation, South Africa, Spain, Sweden, Switzerland, the United Kingdom and the United States of America.

5. The Group reviewed initial results from its Third Technical Test, GSETT-3, which successfully began full-scale operations on 1 January 1995. A report summarizing the initial experience from the full-scale phase is annexed to this Progress Report.

6. As part of its review of GSETT-3 the Ad Hoc Group conducted in-depth discussions on the results of the three working groups that it has established to deal with the planning, operation and evaluation of the experiment. Several meetings of these working groups were held during the session. Summaries of the status of the efforts and plans of these three working groups are included in annex 3.

7. The Group also discussed its future plans for GSETT-3. The Group agreed that continuation of GSETT-3 for an extended period of time along the operational plans outlined in CD/1254 would be important to progressively modify the system to meet the International Monitoring System (IMS) design, as decisions are made by the CD on the seismic component of a future IMS. This would also ensure continued training of an international staff and continued provision of practical advice to the CD. In addition, the GSE could cooperate in experiments to demonstrate the synergy between the seismic IMS and other non-seismic IMS components, if requested by the NTB AHC. For financial planning purposes, countries participating in GSETT-3 should be prepared to support their national facilities and communications links at least through 1996.

8. It was noted that facilities are incomplete for some of the stations envisioned as part of the GSETT-3 monitoring network (CD/1254). It is of particular importance to ensure financial resources for continuous data transmission, and for operation of other facilities during GSETT-3. Countries are encouraged to assist by providing technical and financial assistance in these areas to other countries whose participation is essential.

9. The Ad Hoc Group received and appreciated a briefing from the Chairman of the Nuclear Test Ban Committee's Working Group on Verification. Upon invitation by the Chairman, the Ad Hoc Group gave a presentation to the Working Group of the GSETT-3 experiment.

10. As reported in the last Progress Report (CD/1270), the Ad Hoc Group received a letter from the International Seismological Centre (ISC) requesting receipt of GSETT-3 seismic bulletins and phase data on a regular basis. Addressing the broader issue, the Ad Hoc Group agreed that GSETT-3 data will be a valuable resource to the broader seismological community, and supported the concept that National Data Centers could, at their discretion, be the conduit through which GSETT-3 data are provided to individuals and organizations not directly participating in GSETT-3. In this capacity, the UK has offered to provide the requested data to the ISC in a manner agreeable to both parties.

11. The Ad Hoc Group suggests that its next session, subject to approval by the Conference on Disarmament, should be convened from 7 to 18 August 1995. The main task during the next session will be to review and evaluate results from the full-scale phase of GSETT-3. The Group is prepared to meet during the second part of the session of the Conference on Disarmament, if so requested by the CD in view of the work of the Ad Hoc Committee on a Nuclear Test Ban. A draft work programme for the next session is presented in Annex 1. The work programme will be tailored to meet as much as practicable the information needs of the Ad Hoc Committee on a Nuclear Test Ban and its Working Group on Verification.

Annex 1

Draft work programme for the next (41st) session

1. Continued review of results from the full-scale GSETT-3 testing:

   - IDC reports
   - National reports by participants

2. Continued evaluation of the GSETT-3 system and its results

3. Discussion of modifications to GSETT-3 procedures needed in the light of these experiences

4. Presentation and review of national investigations into relevant matters

5. Discussion of future plans

6. Answer possible questions relating to GSETT-3 from the NTB Ad Hoc Committee or its Working Group on Verification

7. Submission of a progress report to the CD

8. Other matters

Annex 2

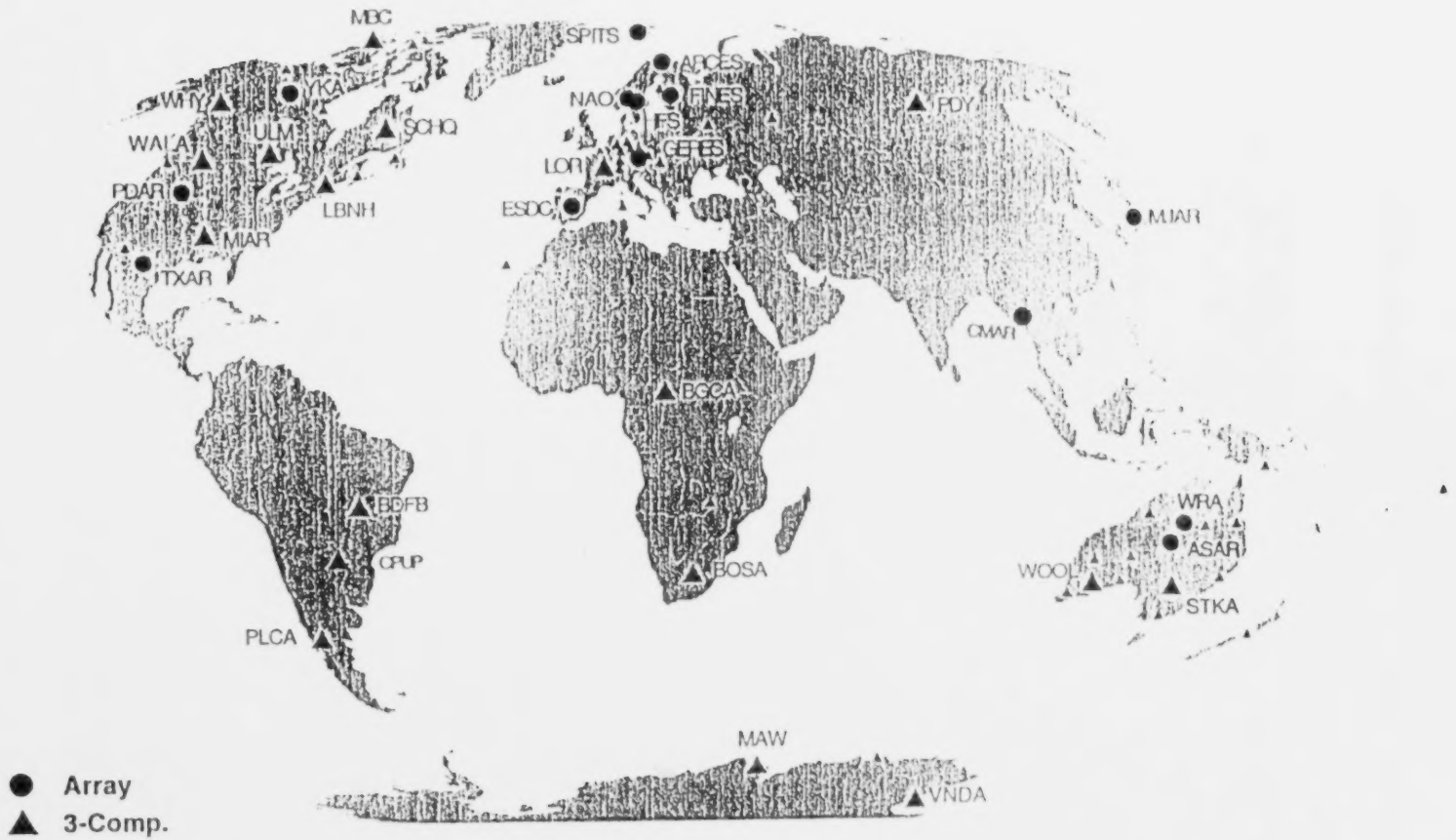
Status of GSETT-3 Station and Gamma Data Commitments
as of 1 March 1995

COUNTRY	Alpha Stations Envisaged by GSE	Beta Stations Offered	Station commit-ment Status	Data Available to IDC	Gamma Data Committed
Argentina	1	1	committed	1994/ July 1995	yes
Australia	5	11	committed	1994	yes
Austria	0	1	lacking	unknown	-
Belgium	0	0	not applicable	not applicable	yes
Bolivia	1	-	lacking	unknown	-
Botswana	1	-	lacking	unknown	-
Brazil	1	2	committed/ lacking	1994/1995	-
Bulgaria	0	1	committed	July 1995	yes
Canada	6	18	committed	1994	yes
Cen. Afr. Republic	1	-	committed	1994	-
Chile	0	1	committed	-	-
China	3	0	committed	unknown	-
Cook Islands	0	1	committed	1994	-
Colombia	1	0	committed	mid-1995	-
Costa Rica	0	1	committed	-	-
Czech Republic	0	1	committed	1994	yes
Denmark	1	-	lacking	July 1995	yes
Egypt	1	0	lacking	unknown	-
Ethiopia	0	1	committed	-	-
Finland	1	2	committed	1994	yes
France	1	0	committed	Jan.1995	yes
Germany	1	9	committed	1994	-
Hungary	0	1	committed	1994	yes

Iceland	0	1	committed	-	-
India	1	0	committed	May 1995	-
Indonesia	1	-	lacking	unknown	-
Iran	1	1	lacking	June 1995	yes
Israel	0	1	committed	March 1995	yes
Italy	0	2	committed	1994	yes
Ivory Coast	1	-	committed	March 1995	-
Japan	1	7	committed	1994	yes
Kazakhstan	1	-	lacking	unknown	-
Kenya	1	-	lacking	unknown	-
Rep. of Korea	1	-	lacking	unknown	-
Mexico	1	2	lacking	unknown	-
Mongolia	1	1	committed	unknown	-
Netherlands	0	1	committed	1994	yes
N.Africa (XAF)	1	-	lacking	unknown	-
New Zealand	0	1	committed	1994	yes
Norway	3	1	committed	1994	yes
Pakistan	1	1	committed	1995	-
Papua New Guinea	1	-	committed[1]	Jan. 1995	-
Paraguay	1	-	committed	1994	-
Peru	0	1	committed	1995	yes
Philippines	0	1	committed	-	-
Poland	0	1	lacking	unknown	yes
Portugal	0	1	committed	-	-
Romania	0	1	committed	1995	yes
Russian Federation	5	5	committed	1994	-
Seychelles	0	1	committed	-	-
South Africa	1	1	committed	1994/1995	yes
Spain	1	2	committed	Jan. 1995	yes
Sweden	1	0	committed	Jan. 1995	yes
Switzerland	0	1	committed	Jan. 1995	yes
Thailand	1	-	committed	Feb. 1995	-
Turkey	1	-	committed	unknown	-

Turkmenistan	1	-	committed	unknown	-
Ukraine	0	1	committed	-	-
United Kingdom	0	2	committed	1994	yes
United States	7	12	committed	1994	yes
Western Samoa	0	1	committed	1994	-
Zambia	0	1	committed	Jan. 1995	-
TOTAL (Committed)	60(49)	102(95)			26

Current GSETT-3 Network



This map shows the stations of the GSETT-3 network contributing data to the IDC as of 1 March 1995. Alpha stations are indicated by large symbols and Beta stations by small ones.

Annex 3

Summary report on initial results of the GSETT-3 full-scale test

Executive Summary

On 1 January 1995, the Ad Hoc Group of Scientific Experts (GSE) Third Technical Test, GSETT-3, successfully began full-scale operations. GSETT-3, which has been described in detail in document CD/1254, is an effort to develop, test and evaluate new concepts for an experimental International Seismic Monitoring System (ISMS).

The initial phase of the GSETT-3 full-scale operations has been successful. The seismic monitoring system has achieved the objectives of acquiring, storing and disseminating raw data. In addition many of the processed data products are available to the National Data Centers (NDCs). This is due to the dedicated efforts of many individuals, both in and outside of the GSE. Particularly noteworthy is the demonstrated capability of the International Data Center (IDC) to adhere to the strict processing schedule and the high quality requirements, even in instances of very heavy processing load due to large earthquake sequences.

While it is still too early to draw any definite conclusions, it can already be stated that GSETT-3 is fulfilling many of the requirements originally specified for the test. Some technical problems have been encountered, but they have largely been solved along the way without serious interruptions or degradation of performance. The participation is still somewhat less than originally envisaged, but it is steadily increasing. There is also a need for further developments of technical facilities at many seismograph stations and NDCs. Likewise, some existing data communication links are inadequate and must be improved. These developments are given high priority.

The GSETT-3 system is already providing an infrastructure in the form of technical facilities, including education and training of personnel, which could facilitate the implementation of a monitoring system for verifying compliance with a CTBT. GSETT-3 is also providing experience with data and services that will be needed by the national verification programs of the participating States for monitoring a CTBT.

GSETT-3 has proven its usefulness for work conducted by the IMS expert group in evaluating options for future monitoring systems. GSETT-3 is already providing data relevant to assessing the performance of various seismic monitoring networks.

Initial experience from GSETT-3 has reconfirmed that GSETT-3 will, as anticipated in CD/1254, provide the following information relating to a future International Seismic Monitoring System (ISMS):

- The station network designed for GSETT-3 represents a basis for the design of the ISMS.
- The functions and products which have been designed for the IDC is the guide to the functions and products required from the ISMS for monitoring purposes.
- The detailed instructions and procedures developed for GSETT-3 will form a good foundation for an Operating Manual for the components of the ISMS.
- The experiences in GSETT-3 will be useful in estimating system capabilities, costs and staffing requirements, and in specifying

requirements for ISMS components such as seismic stations and facilities, telecommunications equipment, and hardware and software for NDCs and the IDC.

The system to be tested during GSETT-3 is evolutionary in nature. Additional stations, improved instrumentation and new processing methods are expected to be incorporated as the test progresses. The GSE will conduct an ongoing assessment of various system components during GSETT-3. Results will be continually incorporated into the system to improve its performance so that the system will be capable of providing the Conference on Disarmament with material relevant to the establishment and operation of a future system for monitoring of a comprehensive test ban treaty.

As GSETT-3 evolves, the results will be regularly reported to the Conference on Disarmament, and the GSETT-3 experience is expected to represent a major contribution to the advancement of a future international monitoring system under a CTBT.

1. Background

The concepts to be tested during GSETT-3 include: a single centralized International Data Center, a specifically designed high-quality seismographic network, and a modern communications system providing continuous data to the international center. As stated in CD/1254, the primary objectives of GSETT-3 are to:

- develop and test new concepts for an experimental ISMS, building upon previous experience;
- provide a practical basis upon which to furnish the Conference on Disarmament with timely technical information;
- develop an experimental system that can evolve and adapt to support future requirements that may be specified for an International Seismic Monitoring System.

GSETT-3 is an unprecedented global effort to conduct an operationally realistic test of rapid collection, distribution and processing of seismic data. It incorporates the most advanced seismic sensors, global communications, data management and data processing technologies currently available. The GSETT-3 system will need to process and disseminate a volume of data about 10 times greater than that of any existing seismic monitoring system.

While the scope of GSETT-3 is limited to seismic monitoring, the GSETT-3 system design is flexible enough to incorporate the collection, archiving and distribution of data from non-seismic techniques, for example, radioactivity, hydroacoustics and infrasound.

This report summarizes the initial experience from GSETT-3 full-scale testing. It is based on contributions from the three GSETT-3 working groups on Planning, Operations and Evaluation.

2. GSETT-3 Participation

The global seismograph network envisaged for GSETT-3 is a two-tiered network comprising the so-called Alpha and Beta seismograph stations. The Alpha stations are designed and located to provide detection and initial location of seismic events throughout the world. The station waveform data are telemetered continuously to the IDC.

The Beta stations provide supplementary data, so that events can be located and characterised with improved accuracy. Data from Beta stations

are not telemetered continuously to the IDC, but waveform segments can be retrieved automatically.

2.1 Alpha stations

As of its 39th session, the GSE envisaged an Alpha station network of 59 stations (out of which 24 are arrays), and the GSE had received formal commitments for 38 of these stations. Since that time, contacts have been made by various means with all prospective Alpha station host countries that had not yet made a commitment to participate in GSETT-3. In this regard, many missions in Geneva were visited to see what could be done to solicit further commitments. This and other work has so far resulted in eleven additional commitments, so that the number of committed Alpha stations as of 1 March 1995 is 49. Out of these, 32 are currently contributing data to the IDC, and all but two of these are fully incorporated into the IDC processing.

2.2 Beta stations

Many countries, and especially those participating in the GSE sessions, offered Beta stations for use in GSETT-3 at an early date, and as of the 39th GSE session, information had been received for a total of 93 planned such stations, out of which 76 were committed. Additional candidate Beta stations around the world that meet the technical requirements and that are of potential usefulness to GSETT-3 have been identified, in cooperation with the Federation of Digital Seismograph Networks (FDSN) and its member networks.

The GSE is seeking formal commitments for participation in GSETT-3 in direct contact with the authorities of the host countries of such candidate stations. So far, the GSE chairman has written letters to 29 such countries, and positive responses containing commitments by the respective authorities have been received from 11 countries. In some of these cases, some clarification is needed to establish whether the commitment given applies to stations that are actually accessible in conformity with Beta station requirements.

To date, the GSE has received information on 102 planned Beta stations, out of which 95 have been committed. It is conceivable that the number of Beta stations that will ultimately be used during GSETT-3 might approach 150.

A map and a table showing the current Alpha and Beta station participation status by country are annexed to the progress report.

3. GSETT-3 Operations

The highlight of GSETT-3 operations since the last GSE session was the successful start of the full-scale test at 0000 UT 1 January 1995. This start followed a flurry of activity during the last four months of 1994 as participating nations readied their seismic stations and communications links, and the GSETT-3 IDC prepared to accept the new data and a more demanding processing schedule through the acquisition of new hardware, upgraded software and highly-qualified staff. A detailed, statistical overview of IDC operations and, to a lesser extent, of station and NDC participation is provided in the bi-weekly IDC Performance Reports. These reports are available on-line electronically from the IDC World-Wide Web (WWW) server on the Internet.

3.1 Status

As Table 1 shows, there are now 28 countries actively participating in GSETT-3 by submitting data to or retrieving data from the IDC. Data are now arriving at the IDC from stations on every continent. The number of

Alpha stations sending continuous, near-realtime data to the IDC has increased from 12 to 32 since August 1994, while the number of Beta stations accessed by the IDC has grown from 21 to 44.

Communications links and data transmission software from the Alpha stations to the IDC (often through a communications hub at an NDC) have performed adequately during the full-scale test. Acquisition of data from Beta stations using direct dial-up and GSE automatic Data Request Manager (AutoDRM) message via electronic mail have proved less reliable due to problems at the IDC, NDCs and stations, though performance continues to improve. Eleven NDCs (Canada, Finland, France, Italy, New Zealand, Japan, Romania, Spain, Switzerland, United Kingdom and the United States) are submitting Gamma data in the form of independent seismic event lists. These data are typically more than a month behind realtime, and are not yet being submitted or received by the IDC in a uniform, robust manner.

	1 Feb 1994	20 Aug 1994	20 Feb 1995	Plan
Participating Nations	10	13	28	>40
Alpha Stations	6	12	32	59
Beta Stations	13	21	44	~150
Coverage	European	Sparse Global	Global	Global
NDCs Sending Gamma Data	1	5	11	20-30
Volume of Data/Day to IDC	0.2 Gbytes	1.5 Gbytes	2.5 Gbytes	>5 Gbytes
Data Days/Week	2	3	7 (24hrs/day)	7 (24 hrs/day)
REB Events/day	20	20	60	>100
REB Events Total (since Aug 1993)	1500	2700	6800	
IDC Staff (int'l)	27(0)	27(0)	47(9)	50(9)

Table 1

Starting 1 January 1995, the IDC began full-scale operation seven days per week and 24 hours per day. The IDC produces automatically an Alpha Event List (AEL) based on signals detected in the realtime, continuous waveform data from Alpha stations. Beta waveform segments, which are based on AEL event locations, are then automatically retrieved and an Alpha/Beta event list (ABEL) is produced. The waveform data is then interactively reviewed to produce a Reviewed Event Bulletin (REB). The target times for completing the automatic bulletins are 1 hour (AEL) and 4 hours (ABEL) after event time. The target for the REB is two days after the end of the data day. With minor exceptions these target times have been adhered to.

To accommodate the increased number of stations and processing of data seven days per week, the IDC has added over 30 new computers, 200 Gbytes of disk, a new high-speed computer communications system and upgraded data processing and handling software, since the last GSE session. The most significant new processing software supports intelligent retrieval of Beta data, calculation of seismic body-wave magnitudes and improved interactive analysis.

The number of staff at the IDC is now 47. International staffing and training at the IDC has been an important objective of the Working Group on Operations. Following the last GSE session offers were extended to successful applicants for positions within the IDC and there are now nine international visiting experts working at the IDC. Preparation of IDC products has focused on determining the location, depth and magnitude of seismic events world-wide that can be observed at three or more stations. The IDC products are being made available according to schedule, with an automated event list completed within about 1.5 hours of the occurrence of the event, and a high-quality analyst Reviewed Event Bulletin (REB) available within 2 days after the day of the event.

There are an average of about 60 events in the REB each day. However, there have been a number of significant earthquakes during the first weeks of the full-scale test (e.g., Kobe Japan on 16 January, Columbia on 8 January, northern New Zealand on 5 February), and the aftershocks of these have resulted in REBs containing far more events, as many as 205 for the single data day of 6 February. That the system could handle the increased load, in particular on the data analysis staff, of these swarms is encouraging.

The GSETT-3 IDC is not providing identification of detected seismic events, but will soon calculate and compile agreed parameters characterizing the detected signals that may assist participating countries in identifying the source of each seismic disturbance.

Estimates of the magnitude threshold, at the 90% confidence level, for detection of an event by three stations in the current Alpha network range from mb 3.1 in Northern Europe up to mb 4.7 in the southern oceans. Typical location uncertainties for events within 2000 km of the closest station are between 40 and 50 km. Completion and calibration of the station network and processing software will reduce this uncertainty.

The data access facilities at the IDC continue to improve. Since the last session, the IDC has installed a GSE AutoDRM for electronic mail access to the IDC database. The IDC has also provided an initial capability for NDCs to establish Subscriptions. Subscriptions are standing orders for classes of data that satisfy criteria specified by the NDC and are forwarded automatically to the NDC. A preliminary World-Wide Web (WWW) server has been installed which allows NDCs to review the state-of-health, raw data, products and documentation for the GSETT-3 system over the Internet. Facilities have also been set up whereby the required information can be obtained by logging into the IDC and extracting information from the database using Structured Query Language (SQL) commands.

To achieve the full potential of the GSETT-3 experiment, additional work is needed on all aspects of the monitoring system. As deficiencies and problems have been identified and remedied, the reliability of stations, communications and IDC processing has improved. The overall operational reliability of the system and the quality of the products will be maximized if station problems are promptly reported to the personnel responsible for the fixing them, and if there is a prompt response from the station operators, regardless of the day of the week. Problem reporting procedures are documented in the Operations Manuals.

3.2 Operational Plans

A number of significant changes are expected to take place within the IDC over the next six months. It is expected that between 10 and 15 new Alpha stations, 20 - 40 new Beta stations, and Gamma data from additional NDCs will be available during this period. More robust Alpha, Beta and Gamma acquisition software will be an important accompaniment to these new data sources. New computer hardware for data processing and mass store capable of archiving over five Terabytes of data (expandable to 25 Terabytes) will be installed at the IDC.

Major upgrades to the signal processing software, automatic association and location software and knowledge-base (through IDC, Working Group on Operations, and NDC research) are expected to improve the quality of the automated event lists and ease the burden on the analysts. The IDC products will be expanded to include a number of additional event characterization parameters, including new seismic magnitudes and spectral measurements. All IDC data and products will be more easily accessible through expanded data access features within AutoDRM, Subscriptions and the WWW server.

4. GSETT-3 Documentation

The GSETT-3 Documentation comprises the plan for GSETT-3, technical instructions, factual description of facilities to be used, an evaluation plan and numerous technical annexes. This voluminous documentation forms the basis for operations manuals and procedures for GSETT-3. It will also contain technical summaries of IDC and station operations and ongoing evaluation results during GSETT-3. Previous experience has shown that documentation of this type is essential.

A draft version of the GSETT-3 Documentation was produced and distributed in advance of the 39th GSE session in August 1994. Based on discussions during the 39th session, as well as review of material during the past months, an updated version of this documentation has now been compiled. This updated version was distributed during this session, as CRP/243.

The structure of the overall documentation, comprising four volumes and five annexes, remains unchanged since the 39th session. New versions are now available of Volume One - Plan, Volume Two - Operations, and Volume Four - Evaluation, whereas Volume Three - Facilities, will be reassessed with respect to format and content, and was thus not distributed at this session. New versions of all five annexes have been produced.

Documentation on Operations (Volume 2: Seismic Station Operations Manual, National Data Center Operations Manual, International Data Center Operations Manual), Formats and Protocols for Data Exchange (Annex 3), the GSE Database Structure and Attributes (Annex 4) and the GSETT-3 System Security Plan (Annex 5) has been revised and redistributed as a result of comments and suggestions made by the GSE and practical experience gained through GSETT-3 operations.

The GSETT-3 Documentation in its current version provides a solid basis for the conduct and evaluation of GSETT-3. It is desirable, however, to streamline the documentation with respect to format and style, coherency and completeness, as well as removal of unnecessary overlap between the volumes, so as to meet the high expectations of the GSE for the GSETT-3 Documentation. It is thus anticipated that CRP/243/Rev.1 could appear before the start of the 41st GSE session. This revision can then also benefit from the discussions during the 40th GSE session.

A complete GSETT-3 Documentation produced along these lines should provide the CD with material that would be highly relevant to the establishment and operation of a future treaty monitoring system. In fact, much relevant material in this regard is already contained in the current version of the GSETT-3 Documentation in the form of operational manuals for stations, National Data Centers and the International Data Center.

5. Evaluation

The Working Group on Evaluation (WGE) visited the IDC in early January and made a preliminary evaluation of GSETT-3 at that stage, just after the start of the formal phase of the Test. This evaluation has since been updated in the light of subsequent improvements and to reflect the many national contributions presented during the GSE session, as well as the latest IDC Performance Reports.

5.1 Stations and communications

A preliminary analysis of the 32 Alpha stations that were on-line to the IDC on February 20 shows that almost all are of high quality, with low noise levels and consequently a high capacity for detection of seismic signals from distant events. The reliability of these stations is not yet as high as desirable but has steadily improved over the past few months. A

wide variety of instrumentation is employed at the current Alpha stations, but although some instrumental effects can be observed these cannot yet be shown to affect detection capability. Many Beta stations are now available but their usage has been low and thus it is not yet possible to assess their capabilities or usefulness in terms of improving event locations. This situation is expected to improve rapidly. An initial assessment shows that the most effective use of some of the existing stations will require the application of corrections to take into account the effects of local geology.

The data communications links employed for the current system appear to be highly reliable and this conclusion is independent of the physical means (satellite, fibre optic, cable, etc) employed for the link. If there are interruptions of the links, procedures to recover missing data have been implemented in most cases. Dedicated links to many countries have excess capacity and could handle a greater data volume, or number of stations, if desired. Several countries are improving access to their Beta stations, and the procedures to retrieve data from them are being thoroughly tested and improved.

5.2 National Data Centres

A brief survey was conducted of those National Data Centres (NDCs) which were participating in GSETT-3 at the end of December 1994. Questionnaires were sent to nineteen NDCs, fourteen of which responded. The information from the completed questionnaires was collected and used to make a preliminary assessment of the performance of the NDCs. It was apparent that a major part of the effort was being put into the monitoring of alpha and beta stations, ensuring the provision of seismological waveform data from their stations to the IDC. Almost all NDCs, with only three exceptions, reported having an Internet connection. This means that the NDCs can access the IDC data base using a variety of techniques. Beta data can be retrieved from some NDCs and stations by the IDC using Internet and dial-up links. The development of an AutoDRM capability at several NDCs has proved to require a considerable amount of effort, and not all have completed this work. All NDCs are willing to be active in GSETT-3 Evaluation work and it is planned that NDC Evaluation Reports will be sent to the IDC starting in March 1995. The information contained in such reports will be used to evaluate many aspects of the GSETT-3 experiment, not the least being costs. It is very difficult to give any idea of definitive costs at this stage but detailed cost information should be available from these NDC Evaluation Reports and this will enable the WGE to make cost estimates for the different components of the GSETT-3 system.

5.3 IDC Quality Assurance Evaluation

Two representatives of the Working Group on Evaluation visited the IDC in Arlington, Virginia the 7th to the 26th of November. The purpose of the visit was to assess the readiness of the IDC to start full scale operation on 1 January, i.e. to perform the Quality Assurance Evaluation described in Annex 1 of Volume 4 of the GSETT-3 documentation. The IDC was then, and is still, under development and some items had to be postponed and others only partially tested, but most items were addressed.

According to the results from the Quality Assurance Evaluation the IDC was ready on 1 January 1995 to process data from the alpha/beta network expected to be in operation at that time. The international manning at the IDC had reached the envisaged level. Reviewed Event Bulletins would be, and are being, generated daily and on schedule and the basic statistics necessary for the evaluation of GSETT-3 are being accumulated. However, for data days containing an excessive number of events the time schedule was sometimes relaxed. The first version of the AutoDRM was tested in a simulated full scale test in which 7 NDCs took part; it proved to be very efficient in answering requests for large data volumes. An internet hyper-

media browser called Mosaic is also available to the NDCs for accessing the IDC archive. All processing steps from the collection of data to the interactive analysis are automatic, with the exception of transferring waveforms to the permanent archive. One to two operators are sufficient to monitor the automatic processing so a high degree of automation has been reached. The design of the IDC is modular and well suited for future modifications and improvements of the system. The total cost of the IDC is $9 million from October 1994 until September 1995, including development, communications, and the support of visiting international staff.

Furthermore, there exists a development plan to increase the capability of the IDC to process data from the larger alpha/beta network envisaged in 1995 and to address questions relevant to an operational IDC such as security, data authentication and full documentation.

5.4 Seismological Issues

It is difficult, given the rapid evolution of the network and frequent changes in procedures, to conduct seismological evaluations in a consistent manner, but some very preliminary conclusions can be drawn from a number of national reports. Those countries that have compared the detection and subsequent processing carried out by the IDC with that which they conduct have found quite good agreement in most cases, although it is clear that the tuning of such processing is a lengthy procedure. It still appears, however, that a high proportion of the phase readings in the bulletins are made by human analysts rather than the automatic processes, and that the latter require further refinement. Similarly, a rather high proportion of the events appearing in the bulletins are created by the analysts, although the ratio of automatic events to those finally appearing in the bulletins has decreased following the adoption of more conservative event definition criteria. National suggestions for more effective criteria are being investigated.

A number of countries have compared locations from their denser national networks with those given in the IDC bulletins. These studies indicate that in most cases the IDC locations are quite good and that the associated error estimates are realistic. Once the gamma data being submitted is actually entered into and available from the IDC database, it will be possible to carry out such analyses in a more systematic manner. Depth estimates in the bulletins are generally good but there were several well-documented instances where the bulletin focal depth was excessive. Several national investigations have compared their magnitudes with those of the IDC and while typically these agree to about half a magnitude unit, it is clear that the issue of magnitudes, and how this will affect assessments of the detection capability of the GSETT-3 network, is an extremely complex one that will require much effort.

Because of the very limited use so far of data from Beta stations, their value for event location and definition is hard to estimate, and a high priority should be given to more effective use of such facilities. Most events appearing in the bulletins are recorded only at teleseismic distances, and the array stations are mostly clearly superior to single stations in terms of detection capability. For the current network, theoretical estimates of detection capability by the IDC appear to be in quite good agreement with national estimates for regions as diverse as western Europe, Japan and New Zealand. These theoretical capabilities vary widely across the globe, reflecting the quite uneven distribution of stations, with coverage so far being quite poor in Africa, much of Asia, and South America.

5.5 Evaluation Plans

Overall, there have been substantial improvements in both capability and procedures during the first two months of 1995, but much work remains

to be done. The WGE intends to improve coordination with both the NDCs and the IDC, and to develop a plan that should lead to firmer conclusions about the present system and how it might be improved. Particular attention will be paid to issues such as capability, costs, the value of Beta stations, and the magnitude consistency problem. A special effort is being made to collect information on national and regional networks and procedures and to establish standard techniques for comparison of event locations and magnitudes from such networks with those produced by the IDC. The WGE will meet again just before the next GSE session in order to provide an up-to-date report on these and other matters.

* * *

CONFERENCE ON DISARMAMENT

CD/1297
10 March 1995

Original: ENGLISH

LETTER DATED 8 MARCH 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING FIVE COMPENDIA OF DOCUMENTS OF THE CONFERENCE ON DISARMAMENT TO SUPPORT THE NEGOTIATION PROCESS ON A COMPREHENSIVE TEST BAN TREATY (CTBT)

I have the honour to transmit to you five compendia of CD documents to support the negotiation process on a Comprehensive Test Ban Treaty (CTBT):

- the first volume is a compilation of the final records (PVs) of the Conference on Disarmament during its 1994 session relating to the issue of a Nuclear Test Ban;

- the second covers Working Papers (WP) relating to a Nuclear Test Ban submitted in plenary to the Conference on Disarmament during its 1994 session;

- the three volumes cover official documents (working papers) tabled in the Ad Hoc Committee on a Nuclear Test Ban (CD/NTB/WP) in 1994:

  Volume I includes CD/NTB/WP.34 to CD/NTB/WP.90;
  Volume II includes CD/NTB/WP.91 to CD/NTB/WP.171;
  Volume III includes CD/NTB/WP.172 to CD/NTB/WP.205

I would be grateful if the necessary arrangements could be made for the distribution of the above five volumes to all member and participating non-member State delegations, under cover of a CD number.

(Signed): Andrew McAlister
Minister and Deputy
Permanent Representative to
the Conference on Disarmament

CONFERENCE ON DISARMAMENT

CD/1298
16 March 1995

Original: ENGLISH

LETTER DATED 15 MARCH 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A PUBLICATION ENTITLED "THE CONVERGING ROLES OF ARMS CONTROL VERIFICATION, CONFIDENCE-BUILDING MEASURES, AND PEACE OPERATIONS: OPPORTUNITIES FOR HARMONIZATION AND SYNERGIES"

I have the honour to transmit copies of a new publication in the Canadian series Arms Control Verification Studies, No. 6, entitled "The Converging Roles of Arms Control Verification, Confidence-Building Measures, and Peace Operations: Opportunities for Harmonization and Synergies".

I would be grateful if the necessary arrangements could be made for the distribution of this publication, under a CD number, to all member and participating non-member State delegations.

(Signed): Andrew McAlister
Minister and Deputy
Permanent Representative to
the Conference on Disarmament

- - - - -

CONFERENCE ON DISARMAMENT

CD/1299
24 March 1995

Original: ENGLISH

REPORT OF AMBASSADOR GERALD E. SHANNON OF CANADA ON CONSULTATIONS ON THE MOST APPROPRIATE ARRANGEMENT TO NEGOTIATE A TREATY BANNING THE PRODUCTION OF FISSILE MATERIAL FOR NUCLEAR WEAPONS OR OTHER NUCLEAR EXPLOSIVE DEVICES

At the beginning of last year's session, I was tasked with seeking the views of members on the most appropriate arrangement to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

As you know, I held numerous consultations, both bilaterally and with groups and reported formally to this plenary on five occasions in 1994. Mid-way through the last session, consensus was reached that the CD was the appropriate forum to negotiate a treaty on this issue. At the end of the session in September, while there was no agreement on a mandate for an ad hoc committee, there was agreement, in principle, that an ad hoc committee be established on this issue as soon as a mandate had been agreed. At that time, the CD asked me to continue consultations on an appropriate mandate for an ad hoc committee in order to enable the convening of this Ad Hoc Committee as soon as possible.

At the beginning of this year's session, the Conference decided to continue consultations on a mandate.

I have since held numerous consultations, and am pleased to report that delegations have agreed that the mandate for such a committee should be based on resolution 48/75L of the United Nations General Assembly, and reads as follows:

1. The Conference on Disarmament decides to establish an ad hoc committee on a "ban on the production of fissile material for nuclear weapons or other nuclear explosive devices".

2. The Conference directs the Ad Hoc Committee to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

3. The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work before the conclusion of the 1995 session.

During the course of my consultations, many delegations expressed concerns about a variety of issues relating to fissile material, including the appropriate scope of the Convention. Some delegations expressed the view that this mandate would permit consideration in the Committee only of the future production of fissile material. Other delegations were of the view that the mandate would permit consideration not only of future but also of past production. Still others were of the view that consideration should not only relate to production of fissile material (past or future) but also to other issues, such as the management of such material.

It has been agreed by delegations that the mandate for the establishment of the Ad Hoc Committee does not preclude any delegation from raising for consideration in the Ad Hoc Committee any of the above noted issues.

Delegations with strong views were able to join consensus so we could all move forward on this issue. This means that an ad hoc committee on cut-off can be established and negotiations can begin on this important topic. This has for some time been the common objective of all delegations of this Conference.

I have appreciated the productive contribution and support of all delegations in arriving at this result.

CONFERENCE ON DISARMAMENT

CD/1300
24 March 1995

Original: ENGLISH

LETTER DATED 16 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A VERBATIM TEXT EXTRACTED FROM A SPEECH GIVEN BY PRESIDENT CLINTON ON 1 MARCH 1995 CONCERNING VARIOUS ARMS CONTROL AND NON-PROLIFERATION ISSUES

I have the honour to forward to you a verbatim text extracted from a speech given by President Clinton on 1 March 1995, concerning various arms control and non-proliferation issues.

Could you please take the appropriate steps to register this text as an official document of the Conference on Disarmament, and to have it distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed): Stephen J. Ledogar
Ambassador

VERBATIM EXTRACT

Speech given by President William J. Clinton

1 March 1995

The Richard Nixon Center

(Arms Control and Non-proliferation Issues)

Over the past two years, the United States has made real progress in lifting the threat of nuclear weapons. Now, in 1995, we face a year of particular decision in this era - a year in which the United States will pursue the most ambitious agenda to dismantle and fight the spread of weapons of mass destruction since the atom was split.

We know that ours is an enormously complex and difficult challenge. There is no single policy, no silver bullet, that will prevent or reverse the spread of weapons of mass destruction. But we have no more important task. Arms control makes us not only safer, it makes us stronger. It is a source of strength. It is one of the most effective insurance policies we can write for the future of our children.

Our administration has focused on two distinct, but closely connected areas - decreasing and dismantling existing weapons, and preventing nations or groups from acquiring weapons of mass destruction, and the means to deliver them. We have made progress on both fronts.

As the result of an agreement President Yeltsin and I reached, for the first time in a generation Russian missiles are not pointed at our cities or our citizens. We have greatly reduced the lingering fear of an accidental nuclear launch. We put into force the START I Treaty with Russia that will eliminate from both our countries delivery systems that carry more than 9,000 nuclear warheads - each with the capacity to incinerate a city the size of Atlanta.

START I, negotiated by two Republican administrations and put into force by this Democratic administration, is the first treaty that requires the nuclear Powers actually to reduce their strategic arsenal. Both our countries are dismantling the weapons as fast as we can. And thanks to a far-reaching verification system, including on-site inspections which began in Russia and the United States today, each of us knows exactly what the other is doing.

And, again, through the far-sighted programme devised by Senators Nunn and Lugar, we are helping Russia and the other newly-independent States to eliminate nuclear forces in transport, safeguard and destroy nuclear weapons and material.

Ironically, some of the changes that have allowed us to reduce the world's stockpile of nuclear weapons have made our non-proliferation efforts harder. The breakup of the Soviet Union left nuclear materials dispersed throughout the newly-independent States. The potential for theft of nuclear

materials, therefore, increased. We face the prospect of organized criminals entering the nuclear smuggling business. Add to this the volatile mix, the fact that a lump of plutonium the size of a soda can is enough to build a bomb, and the urgency of the effort to stop the spread of nuclear materials should be clear to all of us.

That is why from our first day in office we have launched an aggressive coordinated campaign against international terrorism and nuclear smuggling. We are cooperating closely with our allies, working with Russia and the other newly-independent States, improving security at nuclear facilities, and strengthening multilateral export controls.

One striking example of our success is Operation Sapphire, the airlift of nearly 600 kilograms of highly-enriched uranium - enough to make dozens of bombs from Kazakhstan to the United States for disposal. We have also secured agreements with Russia to reduce the uranium and plutonium available for nuclear weapons, and we are seeking a global treaty banning the production of fissile material for nuclear weapons.

Our patient, determined diplomacy also succeeded in convincing Belarus, Kazakhstan and Ukraine to sign the Non-Proliferation Treaty and give up the nuclear weapons left on their territory when the Soviet Union dissolved. One of our administration's top priorities was to assure that these new countries would become non-nuclear nations, and now we are also achieving that goal.

Because of the effort, four potential suppliers of ballistic missiles - Russia, Ukraine, China and South Africa - have all agreed to control the transfer of these missiles and related technology, pulling back from the nuclear precipice has allowed us to cut United States defence expenditures for strategic weapons by almost two thirds, a saving of about $20,000 million a year, savings which can be shifted to vital needs such as boosting the readiness of our armed forces, reducing the deficit, putting more police on our own streets. By spending millions to keep or take weapons out of the hands of our potential adversaries, we are saving billions in arms costs and putting it to better use.

Now in this year of decision, our ambition for the future must be even more ambitious. If our people are to know real lasting security, we have to redouble our arms control, non-proliferation and antiterrorist efforts. We have to do everything we can to avoid living with the twenty-first century version of fallout shelters and duck-and-cover exercises to prevent another World Trade Center tragedy.

In just four days we mark the twenty-fifth anniversary of the Non-Proliferation Treaty. Nothing is more important to prevent the spread of nuclear weapons than extending the treaty indefinitely and unconditionally. And that is why I have asked the Vice-President to lead our delegation to the NPT Conference this April and to work as hard as we can to make sure we succeed in getting that indefinite extension.

The NPT is the principal reason why scores of nations do not now possess nuclear weapons; why the doomsayers were wrong. One-hundred and seventy-two nations have made NPT the most widely subscribed arms limitation treaty in history for one overriding reason - it is in their self-interest to do so. Non-nuclear weapon States that sign on to the treaty pledge never to acquire them. Nuclear weapons States vow not to help others obtain nuclear weapons, to facilitate the peaceful uses of atomic energy and to pursue nuclear arms control and disarmament - commitments I strongly reaffirm, along with our determination to attain universal membership in the treaty.

Failure to extend NPT indefinitely could open the door to a world of nuclear trouble. Pariah nations with rigid idealogies and expansionist ambitions would have an easier time acquiring terrible weapons, and countries that have chosen to forego the nuclear option would then rethink their position; they would certainly be tempted to reconsider that decision.

To further demonstrate our commitment to the goals of the treaty, today I have ordered that 200 tons of fissile material, enough for thousands of nuclear weapons, be permanently withdrawn from the United States nuclear stockpile. Two-hundred tons of fissile material that will never again be used to build a nuclear weapon.

A second key goal of ours is ratifying START II. Once in effect, that treaty will eliminate delivery systems from Russian and American arsenals that carry more than 5,000 weapons. The major reductions under START I, together with START II, will enable us to reduce by two thirds the number of strategic warheads deployed at the height of the cold war. At my urging, the Senate has already begun hearings on START II, and I am encouraged by the interest of the senators from both parties in seeking quick action. I commend the Senate for the action taken so far, and I urge again the approval of the treaty as soon as possible.

President Yeltsin and I have already instructed our experts to begin considering the possibility after START II is ratified of additional reductions and limitations on remaining nuclear forces. We have a chance to further lift the nuclear cloud, and we dare not miss it.

To stop the development of new generations of nuclear weapons, we must also quickly complete negotiations on a comprehensive test-ban treaty. Last month I extended a nuclear testing moratorium that I put into effect when I took office. And we revised our negotiating position to speed the conclusion of the treaty while reaffirming our determination to maintain a safe and reliable nuclear stockpile.

We will also continue to work with our allies to fully implement the agreement we reached with North Korea, first to freeze, then to dismantle its nuclear programme, all under international monitoring. The critics of this agreement, I believe, are wrong. The deal does stop North Korea's nuclear programme, and it does commit Pyongyang to roll it back in the years to come.

I have not heard another alternative proposal that is not either unworkable or foolhardy, or one that our allies in the Republic of Korea and Japan, the nations most directly affected, would fail to support.

If North Korea fulfils its commitment, the Korean Peninsula and the entire world will clearly be less threatened and more secure. The NPT, START II, the Comprehensive Test-Ban Treaty, the North Korean Agreement, they top our agenda for the year ahead. There are other critical tasks we also face if we want to make every American more secure, including winning Senate ratification of the Chemical Weapons Convention, negotiating legally binding measures to strengthen the Biological and Toxin Weapons Convention, clarifying the ABM Treaty so as to secure its viability while permitting highly effective defences against theater missile attacks, continuing to support regional arms control efforts in the Middle East and elsewhere, and pushing for the ratification of conventional weapons which, among other things, would help us to reduce the suffering caused by the tens of millions of anti-personnel mines which are plaguing millions of people all across this world.

My friends, this is a full and challenging agenda. There are many obstacles ahead. We cannot achieve it if we give in to a new isolationism. But I believe we can do no less than make every effort to complete it.

CONFERENCE ON DISARMAMENT

CD/1301
27 March 1995

Original: ENGLISH

LETTER DATED 23 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE CONFERENCE ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A PRESS STATEMENT ISSUED BY THE FOREIGN AND COMMONWEALTH OFFICE IN LONDON ON 15 MARCH 1995 REGARDING THE UNITED KINGDOM'S EXPORT MORATORIUM ON ANTI-PERSONNEL LANDMINES

I attach a press statement issued by the Foreign and Commonwealth Office in London on 15 March 1995, regarding the United Kingdom's Export Moratorium on Anti-Personnel Landmines.

I should be grateful if you would arrange for the statement to be circulated as an official document of the Conference on Disarmament.

(Signed): M.C.S. Weston
Ambassador

EXPORT MORATORIUM ON ANTI-PERSONNEL LANDMINES

Mr. David Davis, Minister of State for Foreign and Commonwealth Affairs, announced today in the House of Commons that Britain was, with immediate effect, extending the scope of its export moratorium on anti-personnel landmines. The moratorium will now comprise a total ban on the export of non-self-destructing on non-detectable anti-personnel landmines, plus a ban on the export of all types of anti-personnel landmines to countries which have not ratified the United Nations Weaponry Convention.

Today's announcement extends the scope of the moratorium, covering the export of anti-personnel landmines not fitted with a self-destructing mechanism announced on 27 July 1994. The extension has become possible because of Britain's ratification of the 1981 United Nations Weaponry Convention on 13 February. The extended moratorium will be of indefinite duration.

The extension underlines the Government's desire to put an end to trade in non-self-destructing and non-detectable anti-personnel landmines, which are the most dangerous to civilians. It also reflects the Government's support for the principle that only responsible countries should be able to acquire any anti-personnel landmines.

The Government hopes that its decision will set a positive example, which will encourage more countries to ratify the United Nations Weaponry Convention and abide by its provisions.

CONFERENCE ON DISARMAMENT

CD/1302
30 March 1995

Original: ENGLISH

LETTER DATED 29 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A PUBLICATION CONTAINING PAPERS PRESENTED AT THE CUT-OFF CONVENTION WORKSHOP HELD IN TORONTO, ONTARIO, FROM 16-19 JANUARY 1995

I have the honour to transmit to you this volume which contains the papers presented at the Cut-off Convention Workshop, held in Toronto, Canada, from 16-19 January 1995. The papers are presented to allow those who could not be present to benefit from the results of the Workshop.

I trust these papers will be of assistance to delegations as we commence negotiations in the Ad Hoc Committee on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

I would be grateful if the necessary arrangements could be made for distribution of the volume to all member and participating non-member State delegations, under cover of a CD number.

(Signed): Gerald E. Shannon
Ambassador
and
Permanent Representative

CONFERENCE ON DISARMAMENT

CD/1303
30 March 1995

Original: ENGLISH

LETTER DATED 22 MARCH 1995 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA, COORDINATOR OF THE EASTERN EUROPEAN GROUP, ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT CONCERNING SLOVAKIA'S REQUEST TO FILL IN THE SEAT OF THE FORMER CZECH AND SLOVAK FEDERAL REPUBLIC IN THE CONFERENCE ON DISARMAMENT

The Eastern European Group supports Slovakia's legitimate request, submitted in January 1993, to fill in the seat of the former Czech and Slovak Federal Republic, which meets a wide support in the Conference on Disarmament.

The Eastern European Group holds the view shared by many other States that this is a specific and separate case, not related to the issue of expansion of the CD.

I would be grateful if you could bring this request to the attention of the CD so that the Conference may be in the position to take a decision at its earliest convenience.

(Signed) Valentin Dobrev
Ambassador,
Head of the Bulgarian Delegation to the CD
Coordinator of the Eastern European Group

GE.95-61058 (E)

CONFERENCE ON DISARMAMENT

CD/1304
4 April 1995

Original: ENGLISH

LETTER DATED 3 APRIL 1995 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE DEPUTY SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A PUBLICATION ENTITLED "VERIFYING A FISSILE MATERIALS CUT-OFF: AN EXPLORATORY ANALYSIS OF POTENTIAL DIVERSION SCENARIOS"

I have the honour to transmit to you a new Canadian publication, entitled "Verifying a fissile materials cut-off: an exploratory analysis of potential diversion scenarios".

I would be grateful if the necessary arrangements could be made for its distribution to all member and participating non-member State delegations, under cover of a CD number.

(Signed) Andrew McAlister
Minister and Deputy
Permanent Representative to
the Conference on Disarmament

CONFERENCE ON DISARMAMENT

CD/1305
7 April 1995

Original: ENGLISH

LETTER DATED 7 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE CONFERENCE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE UNITED STATES STATEMENT CONTAINING THE UNITED STATES DECLARATION ON SECURITY ASSURANCES

I have the honour to forward to you the text of the United States Statement containing the United States Declaration on Security Assurances.

Could you please take the appropriate steps to register this text as an official document of the Conference on Disarmament, and to have it distributed to all member delegations and non-member States participating in the work of the Conference.

(Signed): Stephen J. Ledogar
Ambassador

GE.95-61119 (E)

The United States believes that universal adherence to and compliance with international conventions and treaties seeking to prevent the proliferation of weapons of mass destruction is a cornerstone of global security. The Treaty on the Non-Proliferation of Nuclear Weapons is a central element of this regime. 5 March 1995 was the twenty-fifth anniversary of its entry-into-force, an event commemorated by President Clinton in a speech in Washington on 1 March 1995. A Conference to decide on extension of the Treaty will begin in New York City on 17 April 1995. The United States considers the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons without conditions as a matter of the highest national priority and will continue to pursue all appropriate efforts to achieve that outcome.

It is important that all Parties to the Treaty on the Non-Proliferation of Nuclear Weapons fulfil their obligations under the Treaty. In that regard, consistent with generally recognized principles of international law, Parties to the Treaty on the Non-Proliferation of Nuclear Weapons must be in compliance with these undertakings in order to be eligible for any benefits of adherence to this Treaty.

As a nuclear-weapon State the United States has consistently recognized its responsibilities under the Treaty, and the importance of addressing the special needs of non-nuclear-weapon States Parties to the Treaty with regard to measures that would alleviate their legitimate security concerns. To that end, the President directed that the United States review its policies on security assurances for such non-nuclear-weapon States and that consultations be held with other nuclear-weapon States on this important topic.

Bearing the above considerations in mind, the President declares the following:

The United States reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

Aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons would create a qualitatively new situation in which the nuclear-weapon State permanent members of the United Nations Security Council would have to act immediately through the Security Council, in accordance with the Charter, to take the measures necessary to counter such aggression or to remove the threat of aggression. Any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

Non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons have a legitimate desire for assurances that the United Nations Security Council, and above all its nuclear-weapon State permanent members, would act immediately in accordance with the Charter, in the event such non-nuclear-weapon States are the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used.

The United States affirms its intention to provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used.

Among the means available to the Security Council for assisting such a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons would be an investigation into the situation and appropriate measures to settle the dispute and to restore international peace and security.

United Nations Member States should take appropriate measures in response to a request for technical, medical, scientific or humanitarian assistance from a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of aggression with nuclear weapons, and the Security Council should consider what measures are needed in this regard in the event of such an act of aggression.

The Security Council should recommend appropriate procedures, in response to any request from a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

The United States reaffirms the inherent right, recognized under Article 51 of the United Nations Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

- - - - -

CONFERENCE ON DISARMAMENT

CD/1306
7 April 1995

Original: ENGLISH

LETTER DATED 7 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE CONFERENCE ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE UNITED KINGDOM DECLARATION ON SECURITY ASSURANCES

I should be grateful if you would make the necessary arrangements to have the text of the United Kingdom Declaration on Security Assurances registered as an official document of the Conference on Disarmament and circulated to all members and non-members of the CD. I enclose a copy of the text of the United Kingdom Declaration.

(Signed): M.C.S. Weston
Ambassador

GE.95-61125 (E)

UNITED KINGDOM DECLARATION ON SECURITY ASSURANCES

The Government of the United Kingdom believe that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security. We note with appreciation that 175 States have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

We believe that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the international non-proliferation regime which has made an invaluable contribution to international peace and security. We are convinced that the Treaty should be extended indefinitely and without conditions.

We will continue to urge all States that have not done so to become parties to the Treaty.

The Government of the United Kingdom recognize that States which have renounced nuclear weapons are entitled to look for assurances that nuclear weapons will not be used against them. In 1978 we gave such an assurance. Assurances have also been given by the other nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Recognizing the continued concern of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the assurances given by nuclear-weapon States should be in similar terms, and following consultation with the other nuclear-weapon States, I accordingly give the following undertaking on behalf of my Government:

The United Kingdom will not use nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

In giving this assurance the United Kingdom emphasizes the need not only for universal adherence to, but also for compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons. In this context I wish to make clear that Her Majesty's Government do not regard their assurance as applicable if any beneficiary is in material breach of its own non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons

In 1968 the United Kingdom declared that aggression with nuclear weapons, or the threat of such aggression, against a non-nuclear-weapon State would create a qualitatively new situation in which the nuclear-weapon States which are Permanent Members of the United Nations Security Council would have to act immediately through the Security Council to take the measures necessary to counter such aggression or to remove the threat of aggression in accordance with the United Nations Charter, which calls for taking "effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace". Therefore,

any State which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions are to be countered effectively by measures to be taken in accordance with the United Nations Charter to suppress the aggression or remove the threat of aggression.

I, therefore, recall and reaffirm the intention of the United Kingdom, as a Permanent Member of the United Nations Security Council, to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State, party to the Treaty on the Non-Proliferation of Nuclear Weapons, that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used.

This Security Council assistance could include measures to settle the dispute and restore international peace and security, and appropriate procedures, in response to any request from the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression.

If a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons is a victim of an act of aggression with nuclear weapons, the United Kingdom would also be prepared to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance.

The United Kingdom reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

6 April 1995

CONFERENCE ON DISARMAMENT

CD/1307
7 April 1995

ENGLISH
Original: FRENCH

LETTER DATED 7 APRIL 1995 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE TRANSMITTING THE TEXT OF A DECLARATION BY FRANCE ON SECURITY ASSURANCES

I would be grateful if you would kindly register this declaration as an official document of the Conference on Disarmament and distribute it to all the delegations of member States and States with observer status.

(Signed) G. ERRERA
Permanent Representative of France
to the Conference on Disarmament

The question of security assurances given by the nuclear Powers to non-nuclear States is a major issue for my delegation, firstly because it corresponds to a real expectation on the part of the non-nuclear countries, particularly those which, in signing the NPT, have renounced the goal of acquiring atomic weapons, secondly because our special responsibilities as a nuclear Power are at stake, and lastly because this issue has taken on new significance since the end of the cold war, as awareness has grown of the threat posed to all by the proliferation of nuclear weapons.

It is in order to respond to this expectation, to shoulder its responsibilities and make a contribution to efforts to combat the proliferation of nuclear weapons, that France has decided to adopt the following measures.

First, it wishes to clarify and reaffirm the negative security assurances it gave in 1982. Specifically, France reaffirms that it will not use nuclear weapons against non-nuclear-weapon States parties to the NPT, except in the case of an invasion or any other attack on it, its territory, its armed forces or other troops, its allies or a State towards which it has a security commitment, carried out or sustained by such a State, in alliance or association with a nuclear-weapon State.

In our view it is natural that the beneficiaries of these assurances should be the signatories to the NPT - that is, the vast majority of the countries of the world - since they have entered into a formal commitment to non-proliferation.

In response to the requests made by a large number of countries, France has also sought to harmonize the content of its negative assurances to the maximum extent possible with those of the other nuclear Powers. We are happy that this effort has succeeded. The declarations concerning negative security assurances made by France, the United States, Russia and the United Kingdom, are now practically identical.

Secondly, France has decided for the first time to give positive security assurances to all non-nuclear-weapon States parties to the NPT. This decision became both possible and desirable following France's accession to the NPT. Consequently, France considers that any act of aggression accompanied by the use of nuclear weapons would threaten international peace and security. France recognizes that it is legitimate for the non-nuclear-weapon States parties to the NPT to be assured that the international community, and first and foremost the United Nations Security Council, would react immediately in accordance with the obligations under the Charter in the event that they were victims of or threatened with aggression using nuclear weapons.

Bearing these considerations in mind, France makes the following declaration:

France, as a permanent member of the Security Council, undertakes in the event of aggression involving the use of nuclear weapons or the threat of such aggression against a non-nuclear-weapon State party to the NPT to bring the matter before the Security Council without delay and to work within the

Council to ensure that the Council takes immediate steps to provide the requisite assistance, in accordance with the Charter, to a State that is the victim of an act of aggression or the threat thereof.

France reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

In this field too we welcome the fact that the content of these positive assurances was the subject of close consultation with the other nuclear Powers.

Thirdly, together with the four other nuclear Powers, France has decided to put before the United Nations Security Council a draft resolution which is pathbreaking in many respects, and which reflects our resolve to respond to the expectations of the international community in a comprehensive, collective and concrete manner. Comprehensive, because for the first time, a draft resolution encompasses both negative assurances and positive assurances. Collective, because the five nuclear Powers are co-sponsoring such a resolution for the first time. Concrete, because for the first time a Security Council resolution spells out the steps that the Security Council might take in the event of aggression, in particular as regards dispute settlement, humanitarian assistance and compensation to victims.

The draft resolution formally reaffirms the need for all States parties to the NPT to respect their obligations fully. This is not a case of petitio principii, but the reiteration of a fundamental rule. The draft also emphasizes the desirability of universal accession to the NPT.

The decisions I have just announced reflect our determination to strengthen the non-proliferation regime, and especially the NPT, of which it is the keystone. It is our hope and firm conviction that the initiatives we have taken will help to achieve that end.